

JEFFERSON COUNTY COMMISSIONERS
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TOM LYTHGOE, CHAIR

CHUCK NOTBOHM

KEN WEBER

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA**

June 27, 2006

Present: Commissioners Notbohm and Weber; Harold Stepper, County Planner; Mike Hoffman, Assistant Planner; Jeremiah Theys, Great West Engineering; Jan Anderson, *Boulder Monitor/Jefferson County Courier*; Marga Lincoln, *Helena Independent Record*; Bob Donat, Cory Gangle, Lori Young
Absent: Commissioner Lythgoe

CALENDAR REVIEW

6/28 RMDC re: mental health issues
Jefferson River Watershed meeting - Twin Bridges
6/29 Road tour with the Forest Service - 10:00
7/04 Holiday - County offices closed

COMMISSION REPORTS

ROAD TOUR

Commissioner Notbohm reported that he and Commissioner Lythgoe looked at roads in the Park Lake area with members of the Forest Service. They were looking at roads that are proposed for closure, and he noted that there are more than the map showed. Also, some roads that have been closed are county roads.

GOLDEN TRIANGLE

Commissioner Weber reported that he attended a Golden Triangle meeting in Great Falls on Monday. He stated that it is time to sign the Medicaid match agreement. Commissioner Notbohm moved to sign the county funds transfer for Medicaid match. Commissioner Weber seconded. The motion carried.

CORRESPONDENCE

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Commissioner Weber read the proposed letter to the Library Board. Commissioner Notbohm stated that he likes the letter; it was well written. The only thing he doesn't think they can make stick is regarding employees; they only seem to comply when it is to their benefit. He feels that the Commission needs to have a discussion with the state library director to get some direction. Commissioner Weber stated that it is clear that the library employees are county employees. They are in the bargaining unit and we pay their insurance, etc. He feels that a meeting with the state library director is long overdue. Commissioner Notbohm stated that set guidelines for conduct need to be written up and followed. Commissioner Weber moved to sign and send the letter. Commissioner Notbohm seconded. The motion carried.

SUBDIVISION REVIEW

FINAL PLAT APPROVAL - YOUNG MINOR SUBDIVISION

Mike Hoffman, Assistant Planner, presented his staff report and recommended that final plat approval be granted. Commissioner Notbohm moved to grant final plat approval. Commissioner Weber seconded. The motion carried.

FINAL PLAT APPROVAL - S & C #1

Harold Stepper, County Planner, presented his staff report, noting that all conditions of approval have been met. He recommended that final plat approval be granted. Commissioner Notbohm moved to grant final plat approval. Commissioner Weber seconded. The motion carried.

FINAL PLAT APPROVAL - S & C #2

Harold presented his staff reported and recommended final plat approval be granted. Commissioner Notbohm moved to grant final plat approval. Commissioner Weber seconded. The motion carried.

FINAL PLAT APPROVAL - S & C #3

Harold presented his staff reported and recommended final plat approval be granted. Commissioner Notbohm moved to grant final plat approval. Commissioner Weber seconded. The motion carried.

FINAL PLAT APPROVAL - S & C #4

Harold presented his staff reported and recommended final plat approval be granted. Commissioner Notbohm moved to grant final plat approval. Commissioner Weber seconded. The motion carried.

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

DISCUSS AND DECIDE ON PURSUING ECONOMIC DEVELOPMENT CDBG FUNDS

Jeremiah Theys, with Great West Engineering, stated that the Community Development Block Grant (CDBG) program also has an economic development program. These funds can be used for road review, inventories, and capital improvement plans. The fund has \$190,000 available on a first-come, first-served basis. The grants have a \$15,000 maximum and require a 50/50 match. Commissioner Notbohm asked about the capital improvement option. Jeremiah stated that the money can be used to set up a plan to fix the roads, as roads are essential to meet the tax base. Once that is in place, this can provide the backbone for another RID. Commissioner Notbohm stated that the Road Department draws up a yearly priority list, and there are so many roads in need. He asked if the capital improvement option can be used for material. Jeremiah stated that the grant can be used for planning only. Commissioner Weber asked if the match has to be dollar to dollar, or if in-kind match is allowed. Jeremiah stated that in-kind is allowed, and a resolution needs to be adopted stating the amount of the match.

Commissioner Notbohm noted that they just did a study on the north end, and asked if this would go from Boulder Hill south. Jeremiah stated that it would cover the entire county; the other side of the highway in the north and the rest of the county. Commissioner Weber stated that it was part of the plan to start in the north end and then be able to cookie cutter the process in the rest of the county. Commissioner Weber stated that the Commission needs to write and adopt a resolution outlining the grant match, and asked if Great West will write and submit the grant application. Jeremiah said that they would write the grant for no charge.

Commissioner Notbohm asked when they would hear about the bridge grant they put in for. Jeremiah stated that the ratings come out in September, and the ranking will pretty much indicate if we will get the money or not. No money will be released until the legislature approves it. He stated that 57 applications were received this year.

Commissioner Notbohm moved to write a resolution to pursue the grant. Commissioner Weber seconded. The motion carried.

DISCUSS AMENDMENT TO COUNTY ROAD STANDARDS

Commissioner Weber stated that there is a proposal from Ben Sautter to change some of the language in the County Road Standards. He is being approached by developers wanting him to spec out or design their roads. He then read the proposed changes and noted that this is an effort by the Road Department to stress that professionals need to be involved. Commissioner Notbohm noted that there is another valid reason for this; the Commission recently had a problem with a developer maintaining that our staff are not engineers, which is true. It cost the County a couple thousand dollars to clear that up.

DISCUSS AND DECIDE ON RESPONSE TO CITY OF HELENA, REGARDING NEW INFORMATION REGARDING CITY-COUNTY PLANNING BOARD REQUEST

Commissioner Weber stated that the previous week, the Commission's discussion centered on the assumption that the City of Helena must want to plan for land that they own within Jefferson County. Friday, an article in the *Helena Independent Record* indicated that the City's request for

a city-county planning board is in response to a request from a developer that he be annexed into Helena. He stated that he and Matt discussed the situation, as they were confused by the letter sent by the city. The article gave some good information, but it was not directly from the mayor or the city. They felt it would be best to get the information directly from them, as the letter was pretty vague. Commissioner Notbohm stated that Tim Burton seems to feel that they can do whatever they want with the border. We are reviewing the zoning; it is probably five years too late, but it is clear that we are trying to take care of the area. Commissioner Weber moved to format and sign a letter and send it to Jim Smith, Mayor of Helena. Commissioner Notbohm seconded. The motion carried.

RESOLUTION 17-2006 DISTRIBUTION OF METALLIFEROUS MINES LICENSE TAX

Commissioner Weber read the resolution as follows:

RESOLUTION 17-2006

DISTRIBUTION OF METALLIFEROUS MINES LICENSE TAX

WHEREAS, §15-37-117, MCA, requires that twenty-five percent (25%) of metalliferous mines license taxes, collected by the State under the authority of Title 15, Chapter 37, Part 1, MCA, be distributed to the county in which the mine is located; and

WHEREAS, § 15-37-117, MCA, requires the County Commissioners of such county to allocate those sums received by them, from said metalliferous mines license taxes collected by the State, as follows:

(1) Not less than forty percent (40%) to the County Hard Rock Mine Trust Reserve Account established under § 7-6-2225, MCA; and

(2) All money, not allocated to the said County Hard Rock Mine Trust Reserve Account, is to be allocated as follows:

(a) 33⅓% to the County Metal Mines Tax Reserve Account for planning or economic development activities;

(b) 33⅓% to the elementary school districts Metal Mines Tax Reserve Account, within the County, that have been affected by the development or operation of the metal mines; and,

(c) 33⅓% to the high school districts Metal Mines Tax Reserve Account within the County that have been affected by the development of operation of the metal mine; and

WHEREAS, there are several metalliferous mines located within the boundaries of Jefferson County; and
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WHEREAS, Jefferson County government has recently received \$147,104.87 as its share of such metalliferous mines license taxes collected from the metalliferous mines within Jefferson County,

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board of Commissioners as follows:

1. That forty percent (40%) of such total sum of \$147,104.87 shall be allocated to and placed in, the County Hard Rock Mine Trust Reserve Fund 2895 established under § 7-6-2225, MCA.

2. That all such sums, held in the above-referenced Hard Rock Mine Trust Reserve Fund and/or above-numbered fund(s) on behalf of the above-named school districts and Jefferson County, shall remain in such account and shall be properly accounted for under the appropriate fund number or numbers established for the same. Further, such sums shall be appropriated by the governing body of Jefferson County, and/or distributed thereby, only in accordance with the provision of § 7-6-2226, MCA.

3. That sixty percent (60%) of such total sum of \$147,104.87 shall be allocated to, and placed in, the County Metal Mines Tax Reserve Account established under § 7-6-2226, MCA.

4. That one-third ($\frac{1}{3}$) of the said sixty percent (60%) placed in the County Metal Mines Tax Reserve Account pursuant to the preceding Paragraph No. 3 shall be placed in Economic Development and Planning Account No. 2320. Such sums to be paid to said account (totaling at this time, the sum of \$29,420.98) shall only be used for planning or economic development activities.

5. That one-third ($\frac{1}{3}$) of the said sixty percent (60%), placed in the County Metal Mines Tax Reserve Account pursuant to the above Paragraph No. 3, shall be allocated and appropriated to the benefit of the following elementary school districts, affected by the development or operation of the several metal mines, or a pro-rata basis determined from the license taxes collected from the mine or mines within each such school district:

(i) To the Cardwell Elementary School District No. 16, the total sum of \$8,347.63 to be placed in said School District's Account No. 7716;

(ii) To the Whitehall Elementary School District No. 4-47, the total sum of \$8,347.62 to be placed in said School District's Account No. 7713;

(iii) To the Clancy Elementary School District No. 1, the total sum of \$12,725.72 to be

placed in said School District's Account No. 7712;

6. That one-third ($\frac{1}{3}$) of the said sixty percent (60%), placed in the County Metal Mines Tax Reserve Account pursuant to the above Paragraph No. 3, shall be allocated and appropriated to the benefit of the following high school districts, affected by the development or operation of the several metal mines, on a pro-rata basis determined from the license taxes collected from the mine or mines within each such school district:

(i) To the Whitehall High School District No. 2, the total sum of \$16,695.25 to be placed in said School District's Account No. 7762;

(ii) To the Boulder High School District No 1, the total sum of \$12,725.72 to be placed in said School District's Account No. 7761.

DATED this 27th day of June, 2006.

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER

Commissioner Notbohm moved to adopt the resolution. Commissioner Weber seconded. The motion carried.

REPORT FROM VIEWER ON STREET IN BASIN PETITIONED FOR ABANDONMENT

Commissioner Notbohm stated that he viewed the road in question the previous day, and he would recommend that the road be approved for closure.

CANCEL MEETING OF JULY 4^u

Commissioner Weber moved to cancel the meeting of July 4th. Commissioner Notbohm seconded. The motion carried.

MEETING ADJOURNED

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER